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PATENT
Customer No. 22,852
Attorney Docket No. 07414.0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hon SHIN et al.) Group Art Unit: 1743
Application No.: 09/496,408) Examiner: Jill Alice Warden
Filed: February 2, 2000)
For: APPARATUS AND METHOD FOR)
EJECTING SAMPLE WELL TRAYS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. §1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the U.S. patent publications are not enclosed. Copies of the remaining listed documents (foreign and non-patent literature documents) are enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

10/27/2004 RFEKADU1 00000034 09496408

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement that is not otherwise accounted for, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

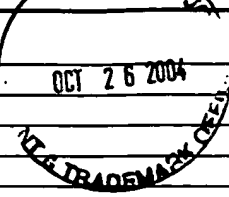
Dated: October 26, 2004

By: Troy E. Grabow
Troy E. Grabow
Reg. No. 43,440

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	09/496,408	
			Filing Date	February 20, 2000	
			First Named Inventor	Hon S. SHIN et al.	
			Art Unit	1743	
			Examiner Name	Jill Alice Warden	
			Attorney Docket Number	07414.0018	
Sheet	1	of	2		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-3,634,651	01/11/1972	Siegel et al.	
		US-4,094,641	06/13/1978	Friswell	
		US-4,096,965	06/27/1978	Lessnig et al.	
		US-4,909,992	03/20/1990	Björkman	
		US-5,030,418	07/09/1991	Miyata	
		US-5,159,197	10/27/1992	Wannlund	
		US-5,282,543	02/01/1994	Picozza et al.	
		US-5,346,672	09/13/1994	Stapleton et al.	
		US-5,378,433	01/13/1995	Duckett et al.	
		US-5,459,300	10/17/1995	Kasman	
		US-5,582,665	12/10/1996	Eigen et al.	
		US-5,604,130	02/18/1997	Warner et al.	
		US-5,681,492	10/28/1997	Van Praet	
		US-5,721,136	02/24/1998	Finney et al.	
		US-5,741,463	04/21/1998	Sanadi	
		US-6,190,619	02/20/2001	Kilcoin et al.	
		US-6,251,662	06/26/2001	Day	
		US-6,315,957	11/13/2001	Feygin et al.	
		US-6,406,670	06/18/2002	Earley et al.	
		US-6,423,948	07/23/2002	Kwasnoski et al.	
		US-6,555,792	04/29/2003	Elsener et al.	
		US-6,638,761	10/28/2003	Shin et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Country	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE 195 01 298 C1	02/08/1996	Germany		Yes
		EP 0 379 437 B1	07/25/1990	EPO		
		EP 0 542 422 A1	05/19/1993	EPO		
		EP 0 606 534 B1	07/20/1994	EPO		
		EP 0 810 030 A1	12/03/1997	EPO		
		EP 0 810 030 B1	12/03/1997	EPO		
		EP 0 836 884 A2	04/22/1998	EPO		English abstract only

IDS Form PTO/SB/08: Substitute for form 1449A/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>				Complete if Known	
				Application Number	09/496,408
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				Art Unit	1743
				Examiner Name	Jill Alice Warden
				Attorney Docket Number	07414.0018
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FOREIGN PATENT DOCUMENTS					
		GB 1 427 034	03/03/1976	Great Britain	
		WO 90/08298	07/26/1990	WO	
		WO 98/42442	10/01/1998	WO	
		WO 98/56506	12/17/1998	WO	
		WO 99/17881	04/15/1999	WO	
		WO 99/20395	04/29/1999	WO	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		D.C. Uber et al., "Application of Robotics and Image Processing to Automated Colony Picking and Arraying," BioTechniques, Vol. 11, No. 5, 642-44 (1991).	
		Peter Jones et al., "Integration of Image Analysis and Robotics into a Fully Automated Colony Picking and Plate Handling System," Nucleic Acids Research, Vol. 20, No. 17, 4599-4606 (1992).	
		Translation of DE 197 39 119 A1 (DE 197 39 119 A1 was previously submitted in Aug. 1, 2001 Information Disclosure Statement).	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Notice Declaring Interference," Paper No. 1, dated Aug. 13, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Interference Initial Memorandum," attached to Aug. 13, 2003 Notice Declaring Interference (Paper No. 1).	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Shin List of Intended Preliminary Motions Under 37 C.F.R. § 1.633," dated Sept. 29, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Elsener List of Intended Preliminary Motions," dated Sept. 29, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Order Setting Times," Paper No. 18, dated Oct. 2, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Order," Paper No. 19, dated Oct. 7, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,411, "Summary of Telephone Conference," Paper No. 22, dated Oct. 28, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Shin Stipulation to Level of Ordinary Skill in the Art," dated Nov. 14, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Summary of Telephone Conference," Paper No. 24, dated Nov. 18, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Shin Revised Stipulation to Level of Ordinary Skill in the Art," dated Nov. 25, 2003.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Senior Party Notification of Change of Ownership of the Elsener Patent and Request for Termination of the Interference Proceedings Under 37 C.F.R. § 1.602," dated June 10, 2004.	
		Elsener et al. v. Shin et al., Patent Interference No. 105,141, "Judgment - Rule 602," Paper No. 40, dated July 20, 2004.	
		Opposition to EP 1 088 590 B1 (European Patent Application No. 00 810 855.7), filed Jan. 16, 2003 at European Patent Office, on behalf of AB Applied Biosystems.	
		Opposition to EP 1 088 590 B1 (European Patent Application No. 00 810 855.7), Decision on the Termination of the Opposition Proceedings, issued June 30, 2004, with English translation.	Yes

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.